

### **REMARKS**

Claims 47, 48, 54, 57 and 61 – 63 are currently pending in this application. Claims 47, 48, 54, 57 and 61 – 63 have been rejected. Claims 1 – 46, 49 – 53, 55 – 56 and 58 – 60 were previously canceled.

Claims 47, 48, 54, 57, 62 and 63 have been amended and new claim 64 has been added to more particularly recite the claimed subject matter. Support for the amendments appears at least in original claims 49, 55 and 58, and throughout the specification as filed, for example, at paragraphs [00124], [00151], [00156], [00158], [00164] and [00169]. Claim 61 has been canceled.

None of these amendments adds any new matter.

### **Information Disclosure Statement**

The Examiner's consideration of the Supplemental Information Disclosure Statement filed on September 28, 2006 is acknowledged with appreciation.

As discussed during an Examiner Interview conducted on August 28, 2007, there are **six references that are not initialed** on pages 15 and 16 of the IDS filed on January 7, 2005. It is respectfully requested that the Examiner make these references of record by reviewing the references, and initialing and returning a copy of the Form PTO-SB/08B with the next Patent Office communication.

### **Rejections Under 35 U.S.C. § 112**

Claims 47, 48, 54, 57 and 61 – 63 stand rejected under 35 U.S.C. § 112, second paragraph, because, according to the Examiner, the claims are “indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” According to the Examiner, claims 47, 54 and 57 are rejected “as being incomplete for omitting essential steps, such omission amounting to a gap between steps.”

As discussed during the Examiner Interview conducted on August 28, 2007, the particular reason for the rejection of claims 62 and 63 is not articulated. Claims 62 and 63 are not dependent on claim 47, 48, 54 or 57, nor do claims 62 and 63 contain language similar to the language rejected to in claims 47, 54 and 57. Thus, the particular reason for the rejection of claims 62 and 63 is unclear to Applicants.

In reply, Applicants traverse the rejection. To more particularly point out and distinctly claim the invention, Applicants have amended claims 47, 48, 54, 57 and 62 – 63. Claim 61 has been canceled. The determining steps of claims 47, 48, 54, and 57 have been amended to recite “Mdm2-HAUSP protein complex.” As discussed during the Examiner Interview conducted on August 28, 2007, determining Mdm2-HAUSP protein complex formation (claims 54 and 57) or a level of Mdm2-HAUSP protein complex (claims 47 and 48) can be accomplished by methods known to a person of ordinary skill in the art, as well as by methods disclosed in the specification. The methods include, for example, Western blot, immunoprecipitation, mass spectrometry, fluorescence detection and radiation detection (*see* paragraph [0072]). Immunoprecipitation and Western blot methods are further described at least in Figure 11 and paragraph [00216]. Based on the above, applicants submit that the present claims satisfy the requirements of 35 U.S.C. § 112, second paragraph.

Claim 61 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner states that “while the specification contemplates a number of potential modulators which can be used in a screening assay, the written description does not appear to be commensurate in scope with the claimed invention because the claims encompass a genus of compounds defined only by their function wherein the relationship between the structural features of members of the genus and said function have not been defined.”

In reply, Applicants traverse the rejection. As discussed during the Examiner Interview conducted on August 28, 2007, claim 61 has been canceled and new claim 64 has been added. Claim 64 adds two steps onto the method of claim 54 or 57. Once the candidate agent has been assessed according to the method of claim 54 or 57, the candidate agent can be assessed according to the method of claim 64 to determine whether the agent activates or increases, inhibits or decreases, one or more Mdm2-associated, HAUSP-associated, or p53-associated biological events in a cell. Non-limiting examples of p53-associated biological events include tumor suppression (*see* for example, paragraphs [0005] and [0006]), transcriptional activation (*see* for example, paragraphs [0007], [00197], [00225] and Figure 2), apoptosis (*see* for example, paragraph [00199] and Figure 3), aging (*see* for example, paragraph [00148]), and cell growth repression (*see* for example, Figure 3). Non-limiting examples of Mdm2-associated biological events include ubiquitination and degradation of proteins, including p53 (*see* for example, paragraphs [0010] and [0047]) and Mdm2 (*see* for

example, paragraphs [0053] and [00215]). Non-limiting examples of HAUSP-associated biological events include deubiquitination and stabilization of proteins, including p53 (*see* for example, paragraphs [0048], [00196] – [00197] and [00200] – [00203]) and Mdm2 (*see* for example, paragraphs [0016], [00215] and [00217] – [00218]). Additional support for new claim 64 can be found at least in claims 55 and 58 as originally filed and throughout the specification as filed, for example, at paragraphs [00151], [00153] – [00158]. Based on the above, applicants submit that the present claims satisfy the requirements of 35 U.S.C. § 112, first paragraph.

Accordingly, withdrawal of the rejections under 35 U.S.C. § 112 is respectfully requested.


### CONCLUSION

It is respectfully request that the Examiner enter the present amendment, consider the foregoing remarks, and allow the pending claims to issue. If the Examiner believes that a telephone interview would help expedite the successful prosecution of the claims, the undersigned would be grateful for the opportunity to discuss any outstanding issues.

No fees are believed to be due with the filing of this response. However, the Director is hereby authorized to charge any fees due, or credit any overpayment, to Deposit Account No. 08-0219 under order number 19240-431 US1.

Respectfully submitted,

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